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EARLY ACTIVITIES
IN THE
UPPER FOUR TENTHS

BY
JOHN D. F. MORGAN
AND
SAMUEL H. RICHARDS
President and Vice-President respectively
of the
Camden County Historical Society

1948

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Early Activities in the Upper Four Tenths

May we ask you to take a little journey with us into the twilight zone of our history, where there were claims and counterclaims to title to the land and claims and counterclaims to the right to govern it.

Although we know that British colonial supremacy in the lands of which New Jersey was a part was due largely to the skill and power of the British Navy—its power to rule the waves and take the land from and hold it against the Dutch, who had battled with the Swedes for it, each of whom had taken parts of it from the Indians—the English, strangely enough, claimed title not by right of conquest but by right of discovery. They pointed to the voyages of two Italian-born navigators, John and Sebastian Cabot, who in 1497 and again in 1498 sailed in English employ. They said the Cabot discoveries placed the absolute right of property in and dominion over the land in the British Crown, which, under what were then the principles of the British constitution, became the proper organ to dispose of the public domain. Upon these principles rest the various charters and grants of territory made by the Crown on this continent.¹

Someone whimsically has said that a country is discovered when it is first looked upon by a European, preferably an Englishman. Certainly there was much activity here before any Europeans arrived. At a time when darkness had settled over Europe and barbarism there was at its height, a very high degree of civilization had developed in parts of the North American continent. The Maya civilization, for example, in Mexico and Central America, which is slowly being uncovered for us, rivaled some of the best of ancient times.

Really, it takes more than a look at the edge of a thing to master and conquer it. You recall how Balboa climbed a tree on a mountain top in Panama and, looking out over the broad expanse of the Pacific, declared he took possession of it in the name of Spain. We know only too well that taking possession of the Pacific required years of time and the best navy in the world, adequately supported by ground and air forces.

Rights of the native Indian inhabitants were given scant consideration. New England settlers battled with the Indians. Here the Quakers gave them goods and trinkets to sign deeds. The plan worked very well. For Manhattan Island, the Dutch gave them merchandise to the value of \$24.00. Will Rogers, who was part Indian, after living in New York for some time, declared that in that transaction the Indians overcharged.

Since Europeans claim to have discovered it, this part of the country has been under four flags, each representing slightly different ideas about property rights and about government.

Ideas, both about property and government, change from generation to generation. Our laws about property, however, and particu-

larly about title to land, were frozen at conditions existing at the time of the Stuart Kings, when the divine right of kings meant much more than it does now. Our constitutional provision that no one shall be deprived of property without due process of law has helped to keep our laws so frozen.

In that connection an observation made by the late Archbishop of Canterbury may not be out of place. He said: "I suppose if it were possible to establish a property claim upon air, somebody would have done it by now and would have made people pay if they wanted to breathe what he would then call his air. So, too, of light. But it has not been found possible to do this. Unhappily it has been found possible in the case both of land and water, and we have tended to respect claims made by owners of land, and water flowing through or beneath it, in a way which subordinates the general interest to the private interest of those owners. I am not persuaded that the right way to deal with this question is by nationalization of land, but I am sure we need to assert the prior interest of the community respecting land and water with a vigor of which recent political history shows no trace. Here, supremely, the principle of the old Christian tradition holds good, that the right of property is the right of administration or stewardship—never the right of exclusive use."² Whether or not we agree with the Archbishop, his is an interesting commentary.

So far as title to land in New Jersey is concerned, our courts, from the Supreme Court of the United States down, have set the matter at rest by, in effect, making Charles II, that Merry Monarch of England, who so far as we can ascertain never saw New Jersey, the common source of our titles.¹ Show a complete chain of title from Charles II down and, if no one else has acquired title by adverse possession, your title will stand all the tests.

Our discussion here concerns chiefly the lands within what were known as the First, Second, Third and Fourth Tents. These Tents comprised all of West Jersey North of Oldman's Creek. Within that territory we find the first settlement of white men in the Delaware Valley.

The Dutch claimed the Delaware river by reason of its discovery by Henry Hudson, an Englishman, sailing in the service of the Dutch East India Company,³ on the 28th of August, 1609. This was eight days before he discovered the river that bears his name.⁴

The first settlement on the Delaware river was in 1623 when Captain Cornelius Jacobsen Mey, or May as we know it, director of an expedition, sailed up the river, landed at or near the confluence of Big Timber creek and the Delaware river and there built Fort Nassau "as well for security against the Indians as for a trading post with them." These were the first Dutch colonists to come to the South River⁵ as the Delaware was called by the Dutch.

The history of Fort Nassau is interesting not only because historians have for decades debated its precise location and history, but

also because it was the first European settlement on the Delaware river. No description of its size, shape or construction has been transmitted to us. It is consistently referred to as a "little fort", and sometimes as a redoubt. Yet, during Governor Wouter Van Twiller's administration, when the fort, which had fallen into decay, was being repaired, "a large house was built in Fort Nassau."⁶

It was the first of the four forts to be erected in New Netherland⁴ and except for three brief periods, was maintained as a garrisoned fort, and the residence of the Commissary—who was also a deputy to the Director General at New Amsterdam (New York City)—in charge of the Dutch affairs on the South river. It was used uninterruptedly as a trading post until 1651⁷⁻⁸ when, as a result of the "cold war" being waged between them and the Swedes for the supremacy of the Delaware, it was "demolished"⁹ by the Dutch themselves by order of Peter Stuyvesant, then Governor at New Amsterdam. This must have been done quite effectively as no remnants of it have been discovered that would assist in fixing its exact location.

In December of 1632 when David Peterson DeVries came to the Delaware to visit the site of the ill-fated settlement planted at Hoorn or Hoere Kill (Lewes, Del.) the previous year by Captain Peter Heyesen¹⁰ sometimes spelled Heyes, he found the Hoorn-Kill fort and trading house burned and in ruins. The scattered "skulls and bones" of thirty-two colonists mutely attested their murder by the Indians.⁷⁻¹¹

Running short of provisions, on the 1st of January 1633 he embarked on his yacht, the Squirrel, and sailed up the Delaware to visit the place May had settled ten years before, to see if he could procure some corn from the Indians. We quote from his account of the trip:¹¹

"The 5th, we weighed anchor in the morning, (having lay at anchor the previous night at Red Hook—near Mantes, now Mantua creek)¹² and sailed before the little fort named Nassau, where formerly some families of the West India Company had dwelt. Some Indians had assembled there to barter furs, but I desired to trade for their Turkish beans (corn)—. They told us that we ought to haul into Timmerkill. There was an Indian of the Sankitans, who cautioned us not to go entirely into the kill, (creek) as she knew that they intended to make an attack upon us."

DeVries made a second visit to the fort on February 3rd of the same year, "and sailed to Fort Nassau, where we had left the Indians before, but found no one there now, and saw no Indians."

Thus it would appear that when DeVries visited Fort Nassau in January and February of 1633, he found it intact and not "entirely destroyed by the Americans (Indians)" and "those whom Mey left behind him at that place murdered."

Where was Fort Nassau? For years historians have asked the question. John Clement, surveyor and an outstanding South Jersey historian, probably knew more than any other man in his day about the location of this our first settlement. Writing in 1877, he states

that "the place where John Hugg's house stood has much of historic interest about it from the fact of its being claimed as the spot where stood Fort Nassau."¹³

A century ago the location of Fort Nassau was a much-mooted question and, in an effort to settle it, the Historical Society of Pennsylvania in 1852 appointed a committee to institute inquiries touching its location. Edward Armstrong of Philadelphia took an active part in it and prepared and read a paper before that Society and also before the New Jersey Association. In it he suggested the John Hugg place, above referred to, as probably the most likely place for the location of the fort.¹⁴ John Clement, commenting on it, said, "this paper was exhaustive and interesting, yet he leaves the difficulty about where he found it, to be pursued by some ambitious person determined to accomplish that in which all his predecessors have failed."¹⁵

The conclusion reached by John Clement was that "the exact spot where it stood will always remain an open question, and a fruitful subject of controversy among antiquarians." Looking at it from this distance, we are inclined to agree with Mr. Clement.

Later we find two shiploads of Swedes and Finns coming into the Delaware in 1638, under the leadership of Peter Minuit. His first act was to build a fort where Wilmington now stands, which he named Fort Christina. Then he sailed up and down the river. His instructions required him to select a place that by nature was strong and to build there a house or a fort and to name it New Stockholm, with the firing of cannon.¹⁵ The land at the mouth of Raccoon Creek carries the name, New Stockholm. It was called that in the earliest deeds for land at that point.¹⁶ One likes to feel that Minuit painstakingly carried out his instructions and named that place New Stockholm.

From 1638 to 1655, a period of seventeen years, the river was ruled by the Swedes. Occasionally, of course, they had some skirmish or controversy with the Dutch. During the latter part of that time, the capital of New Sweden was Tinicum Island, where Essington now stands. The club house of the Corinthian Yacht Club is on or near the site of the governor's mansion.¹⁷

In 1655, the Swedes surrendered to the Dutch, and then for a period of nine years the territory was governed by the Dutch, who had a Director General at New Amsterdam and a deputy at New Castle. It is thought that during this period Peter Jegou established himself at Burlington.

In 1664, the English determined to put an end to Dutch rule on this continent, and they proceeded to do it. Charles II, with characteristic English optimism, assumed that his expeditionary force would be successful and that the Dutch would surrender. Accordingly, he conveyed to his brother, James, Duke of York, title to the land and also the right to govern it, all while it was still in the hands of the Dutch.¹⁸ The Duke, equally optimistic, conveyed New Jersey to Lord Berkley and Sir George Carteret, likewise while it was in Dutch

hands.¹⁹ The deed from Charles to the Duke was in March, 1664; the deed from the Duke to Berkley and Carteret was in June of that year, while the Dutch surrender was not until September. Those deeds, of course, would not have been worth the parchment upon which they were written if the expedition had not been successful and the Dutch had not surrendered.

For some time after the surrender, the English were more friendly toward the Swedes than they were toward the Dutch. A proclamation was issued congratulating the Swedes upon their return to a monarchical form of government—a gentle dig at the Dutch Republic.

The Duke, in carrying on his government, followed largely the plan of the Dutch. He had a governor in New York and a deputy governor in New Castle. To aid the deputy at New Castle in governing the territory, he provided a council of local people, a council of five composed of three Swedes and two Dutchmen. He provided also two courts, one at New Castle with Dutch judges, and the other at Upland, or what is now Chester, with Swedish judges.

In 1673, the Dutch staged a comeback. With a fleet of twenty-three vessels they sailed into New York Harbor and demanded a surrender. The English, not knowing what else to do, surrendered. The territory then again came under Dutch rule and so continued until the end of the war, sometime the following year, when it was ceded back to England. In that connection, there is a curious story, indicating how highly the Dutch valued this territory. Dutch and English, it is said, were around a council table, agreeing upon the terms of a Treaty of Peace. Knowing how the Dutch felt about it, the English, according to the story, said to the Dutch: "You can have New Netherland or you can have Surinam in South America; you can have either, but you can't have both." The Dutch thereupon concluded that Surinam was the better of the two and chose that. It is now Dutch Guiana.

The Stuarts, Charles and James, took advantage to the full of the new situation. They claimed that the re-capture of the territory by the Dutch and the subsequent cession of it to England placed title to everything back in the Crown, with the result that they had to begin all over again. Accordingly, Charles executed a new deed conveying to the Duke not only title to the land but also the right to govern it.²⁰

Meanwhile, Lord Berkley had conveyed to John Fenwick his undivided one-half part of New Jersey.²¹ The deed was absolute on its face and stated a consideration of a thousand pounds. Under it Fenwick claimed to be absolute owner. Subsequent events, however, show that the thousand pounds was the property of Edward Billing and that title was taken in Fenwick's name to place it beyond the easy reach of Billing's creditors. William Penn, acting as arbitrator, after some struggle, drove Fenwick into a position

where he was willing to surrender and turn over to creditors nine-tenths of what he had. Thereupon, what they called the Tripartite Deed was executed. Fenwick, holder of the legal title, was party of the first part; Billing, claiming to be the equitable owner, was party of the second part and Penn, Lawry and Lucas were parties of the third part. The deed conveyed to Penn, Lawry and Lucas nine-tenths of an undivided half part of New Jersey.²² The deed didn't so state, but Penn, Lawry and Lucas held title in trust for creditors and then for Billing.

Still they had only an undivided interest. Carteret held the other undivided half. In 1676, Carteret, Billing and Penn, Lawry and Lucas got together and executed what they called the Quintipartite Deed.²³ It divided East New Jersey from West New Jersey, Carteret taking East and the others West. In the deed it was called West New Jersey, but it soon was shortened to West Jersey.

The persecution of Quakers going on at that time in England was so intense and relentless (it was almost as bad as Hitler's persecution of the Jews) that there was no trouble in inducing two hundred and thirty of them to board the Kent to come to West Jersey. While the Kent was lying in the Thames ready to start, Charles II, happening along in his pleasuring barge and learning that they were colonists bound for West Jersey, stopped, looked them over, asked if they were all Quakers, gave them his royal blessing and passed on.²⁴ The Kent set sail and reached Sandy Hook on August 4, 1677.²⁵ While the Kent was riding in the bay there, the commissioners went ashore and called upon Governor Andros, the Duke's governor, in New York. Governor Andros was very much interested in their plans of colonization until they mentioned their intention to govern the territory. He then told them very frankly that the Duke had never conveyed to anyone the right to govern it. But they said, "When we purchased Berkley's share, we understood the right to govern went with it; otherwise we wouldn't have purchased." The Governor's only reply was to clap his hand upon his sword and tell them that, until the Duke himself declared otherwise, the Duke's government would be maintained.

Governor Andros, however, was somewhat of a diplomat. He knew that Admiral Penn, William Penn's father, had been a great friend of the Stuarts and he had every reason to believe that William Penn would be able to obtain from the Duke a grant to some-one of the right of government. He accordingly gave to these Quaker commissioners his own commission, so that what they did here in the way of governing would be done as his agents.²⁶

The Kent sailed on and reached New Castle, the local seat of the Duke's government, on August 16th. There, apparently, they paid their customs duties and proceeded up the river to the mouth of Raccoon Creek. The two hundred and thirty passengers were landed at the old Swedish town of New Stockholm.²⁷ For two months they lived there in the Swedish habitations, some of them living in cow

stalls. Indeed it is believed that all women and children and most of the other passengers remained at New Stockholm until the spring of 1678.²⁸

Meanwhile, their commissioners were traveling about obtaining deeds from the Indians for the land and searching out promising places for settlements. The Yorkshire commissioners represented ten proprietries or hundredths parts of the province and were entitled to one-tenth of the land. By the Concessions and Agreements they were given first choice as to its location. They chose from the Falls of the Delaware down including Burlington. The London commissioners likewise represented ten proprietries and were entitled to a tenth of the land. Apparently, they selected what is now Camden County, with Gloucester as their chief town. Thomas Olive sent up men from New Stockholm to put the ground at Gloucester in condition for a settlement. The Yorkshire men saw all this going on. Perhaps they foresaw that Gloucester probably would become the chief city and capital of the Province. Whether they were fearful of the Indians or not, we don't know, but they almost begged the Londoners to give up their plans for Gloucester and to join Yorkshire in building a town at Burlington, offering them the best of everything. The Londoners agreed. And then the First or Yorkshire Tenth was made to extend from High Street, Burlington, Northward, while the Second or London Tenth was made to extend from High Street, Burlington, to Pennsauken Creek. What is now Camden County became the Third or Irish Tenth (it was set off largely for settlers from Ireland) and what is now Gloucester County became the Fourth Tenth, then inhabited largely by Swedes.

Returning to New Stockholm, during the sojourn there on the Raccoon, Elizabeth Powell was born—our Virginia Dare. When she grew up she married Jacob DeCou at the home of Dr. Daniel Wills. The Burlington County DeCous trace their American origin to that union.

When everything was in readiness to move on, the Kent having returned to England, they proceeded up the river in small boats. As they passed what is now Philadelphia, these colonists admired the location very much and commented on it. No doubt their report influenced William Penn four years later in selecting that as the site of his dream city—Philadelphia.

When these travelers reached Burlington, they were very careful not to repeat the blunders of Fenwick and Carteret, each of whom had defied the Duke's government—usurped its powers—and had suffered or were about to suffer for it. While their commissioners were calling on Governor Andros, they found Fenwick in jail in New York, convicted by a jury of his peers. Carteret had been even more defiant than Fenwick. He had summoned a legislative assembly for New Jersey and had proclaimed himself governor. One night in 1680 he was arrested, taken to New York and tried there before a jury. He fared better than Fenwick because he won the sympathy of the jury.

He boldly challenged the right of Governor Andros, his accuser and prisoner, to act also as his judge. The jury, sympathizing with him, brought in a verdict of not guilty. You may remember, it was a jury that saved William Penn in his trial at the Old Bailey in London.²⁹ Notwithstanding the verdict of not guilty as to Carteret, Governor Andros would not let him go until he gave security not to do it again.³⁰

While the Burlington colonists were in such a state of uncertainty as to what they dare or dare not do in the way of self government, they fought a battle royal over title to the land at Burlington. Peter Jegou had been an outstanding character in that region. He had operated what we would call a hotel—an inn or tavern. They called it an ordinary. It was the stopping place for travelers from New York to the Delaware River settlements. When Governor Carteret called his legislative assembly for New Jersey, Jegou sat in it as a representative of the Delaware River settlements—a job that required him to be an owner of real estate.³¹ Jegou brought suit—an action of trespass—against Thomas Wright and Godfrey Hancock. In his complaint he alleged that his property there had been plundered by the Indians, that he was compelled to leave it temporarily to earn a livelihood, intending to return, and when he did return, he said, these newcomers out of England called Quakers were in possession of it and had cut down trees, planted corn, mowed hay and built fences.

He brought his suit before the magistrates at Burlington, but they were afraid to touch it. They wouldn't even fix a day for the trial. Jegou suggested that the case be transferred to the Duke's court at Upland. The magistrates agreed and so did the defendants and the case went to the Upland court.

The Swedish judges there were very much interested, and they gave the same judgment a court now would give. Jegou called a number of witnesses who testified that he had been in possession there for a great many years. He offered in evidence his deed from the Indians; he offered his grant from the Dutch governor during the period of Dutch rule, and finally he offered his grant from Governor Carteret.

The defendants in turn showed title from Billing and the West Jersey proprietors. The judges gave judgment in favor of Jegou, the plaintiff, upon the ground that he had bought the land of the Indians and obtained a grant from Governor Carteret before Berkley had conveyed to Billing.³² From any viewpoint, that was the proper judgment.

In August 1680, William Penn succeeded in having the Duke confirm their titles. Whatever else can be said about the deed then executed, it effectively brought to an end all claims of the Duke to a right to govern the territory.

The parties of the second part to this 1680 deed were Edward Billing, William Penn, Gawen Lawry, Nicholas Lucas, John Eldridge and Edmond Warner. Eldridge and Warner were made parties because of an alleged transfer to them of Fenwick's retained tenth. This 1680 deed granted to Billing all right of government enjoyed and exer-

cised by the Duke, and granted to Penn, Lawry, Lucas, Eldridge and Warner title to the land in West New Jersey, ten equal and undivided hundredth parts thereof to the use of Eldridge and Warner and ninety equal and undivided hundredth parts thereof to the use of Penn, Lawry and Lucas in trust for Edward Billing. Mr. Frank H. Stewart has published copies of what purport to be the Eldridge and Warner indentures. He claims Eldridge and Warner never were anything more than mortgagees.³³

From this almost hopeless confusion of trusts and undivided interests, a mode of making title to a specific piece of land was adopted, to wit, a formal recorded survey, describing the land, made by the surveyor general or his deputy. Our courts have fully sustained such a survey as a valid source of title.³⁴

The Duke having relinquished his claim to the right of government, the colonists were now ready, without let or hindrance, to try out their sociological experiments and to put in operation the provisions of their Concessions and Agreements entered into before leaving London.

It was found that the Tenth was not the very best form of local political division. In England they were not familiar with it and now they wanted counties. And so, the First and Second Tenths were combined to make Burlington County and the Third and Fourth Tenths were combined to make Gloucester County.

For a time they had almost an ideal commonwealth. The Crown, however, caught up with them again and demanded a return of the government. It suited the English plans at that time to claim that it was beyond the power of the Crown to convey away the right to govern the territory, and accordingly quo warranto proceedings were threatened to determine by what authority these colonists exercised the right of government. It all resulted in a surrender of the government to Queen Anne in 1702.³⁵

Meanwhile there had been activity all along the line in the Third Tenth. It is generally conceded that under English rule the first settlers in the Third Tenth came from Dublin. Robert Zane arrived ahead of the rest and made Salem his temporary headquarters, while he looked over the land and made arrangements for those who would follow. In September, 1681 "Ye Owners Adventure", a narrow sterned vessel known as a pink, set sail from Dublin with a number of colonists who would establish the town of Newton. Outstanding among them were Mark Newbie, Thomas Sharp and Thomas Thackara. In November they joined Robert Zane at Salem where their families lived during the winter. The weather being favorable, they purchased a boat and searched up and down the Third Tenth, selecting a spot on Newton Creek for their settlement, after which they arranged at Burlington to have the proper title papers issued. Being somewhat fearful of the Indians, they at first had a communal settlement around what is now the West Collingswood Railroad Station. Finding, however, that the Indians were friendly, they divided their land and lived separately. Mark Newbie continued to live near where the railroad sta-

tion is located and his home became the first meeting house for the Newton Meeting. Newbie is known as the first banker in the province. Foreseeing the need for fractional currency he brought with him from Ireland a great number of Patrick's half pence which the legislature here made legal tender up to five shillings, provided Mark gave sufficient security therefor. He gave satisfactory security and his bank functioned properly. Thomas Sharp built his home a little farther to the South, in or near what we know as Fairview. He was our first county clerk and the first land surveyor in these parts. It is to him that we are indebted for a large part of our information about the settlement of Newton.³⁶

Between Mark Newbie's house and what is now the White Horse Pike, Thomas Thackara built his home facing the creek. There is a Trackara house there now, numbered 912 Eldredge Avenue. It faces the creek and carries the letters I T M and the date 1714. It probably is on the site of the original Thomas Thackara house.

A little farther to the North, between the White Horse Pike and the Collingswood High School, Robert Zane built a home. The author, Zane Grey, was a descendant of his. Zane Grey's historical novel, "Betty Zane," deals with another descendant and is well worth reading. There is a legend to the effect that Robert Zane married an Indian maiden, a New Jersey Pocohontas—one of our fine old legends.

About the same time—we are not sure of the date—William Cooper, who had been living in Burlington, concluded to make Camden his home. The place he selected was at the head of North Fifth Street. The site of his house is now covered by water.

Shortly thereafter, Francis Collins, also of Burlington, built his home in what is now Haddonfield. It was on a hill along Center Street. He named it Mountwell. He built the first Friends' Meeting House in Burlington.

Closely upon the heels of these came others. John Clement has made a list of them in his "First Emigrant Settlers in Newton Township".

After the turn of the Century, Elizabeth Haddon, soon to become Elizabeth Estaugh, arrived to settle upon the lands of her father, John Haddon, who, it is believed, was expected soon to follow, as otherwise the Estaugh Mansion would not have been so large and commodious as it was. Elizabeth's courtship has been immortalized by Longfellow in his poem, "Elizabeth".

West Jersey was a laboratory for trying out interesting sociological experiments. The tenth, as a geographical and governmental unit, was such an experiment. It did not work. It was too large for town-meeting government and, considering the sparse population, not large enough for a county. After setting off four tenths, they stopped. The remaining territory they were content to call the "Six Lower Tenths."³⁷ Where it was set off, the tenth for governmental purposes soon merged into the larger unit, the county. Nevertheless, as geographical divisions, the First, Second, Third and Fourth Tenths will continue to be of interest.

CHRONOLOGY

- 1497— Voyages of discovery by John and Sebastian Cabot under English employ.
- 1498—
- 1623— Establishment of Fort Nassau by Captain Cornelis May (or Mey) of Hoorn, Holland.
- 1638— Arrival in the Delaware of two shiploads of Swedes and Finns under leadership of Peter Minuit, who was instructed to build a house or fort and name it New Stockholm. Establishment of New Stockholm at the mouth of Raccoon Creek.
- 1655— Surrender of Swedes to Dutch.
- 1664—March 12 Letters Patent by Charles II to his brother James, Duke of York, conveying land including New Jersey together with the right to govern it.
- 1664—June 23 & 24 Lease and Release by James, Duke of York to John Lord Berkley and Sir George Carteret for New Caesarea or New Jersey.
- 1664—Sept. 8 Surrender of Dutch to English.
- 1673—Aug. 9 Surrender of English to Dutch.
- 1674—Feb. 19 Treaty of Westminster ending war and ceding New Jersey back to England.
- 1673-4—March 18 Deed John Lord Berkley to John Fenwick for an undivided one-half part of New Jersey.
- 1674—June 29 Letters Patent by Charles II to his brother James, Duke of York, conveying land including New Jersey together with the right to govern it.
- 1674-5—Feb. 10 Tripartite Deed from John Fenwick holder of the legal title, party of the first part, and Edward Billing claiming an equitable interest in the land, party of the second part, to William Penn, Gawen Lawrie and Nicholas Lucas of the third part, conveying ninety equal and undivided hundredth parts of one half of New Jersey, Fenwick retaining ten equal and undivided hundredth parts.
- 1676—July 1 Quintipartite Deed between Sir George Carteret of the first part, William Penn of the second part, Gawen Lawry of the third part, Nicholas Lucas of the fourth part and Edward Billing of the fifth part. It divided New Jersey into two parts, Carteret taking East and the others West New Jersey.

- 1676-7—March 3 Concessions and Agreements of the Proprietors, Freeholders and Inhabitants of the Province of West New Jersey in America.
- 1677—Aug. 4 The Kent reached Sandy Hook carrying 230 Quaker colonists for West Jersey.
- 1677—Aug. 16 The Kent arrived at New Castle and continued up the River to the mouth of Raccoon Creek where the 230 passengers were landed at the Swedish Town of New Stockholm and where they remained till some time after October 10, 1677. Indeed it is believed that all women and children and most of the other passengers remained at New Stockholm until the Spring of 1678, when they proceeded up the River in small boats to Burlington.
- 1677—Sept. 7 Birth of Elizabeth Powell at New Stockholm. When she grew up she married Jacob De Cou at the home of Dr. Daniel Wills. The Burlington County De Couse trace their American origin to that union.
- 1679—Nov. 25 Trial before Upland Court of the action of trespass brought by Peter Jegou against Godfrey Hancock and Thomas Wright.
- 1680—Aug. 6 Deed between James, Duke of York, of the one part and Edward Billing, William Penn, Gawen Lawry, Nicholas Lucas, John Eldridge and Edmond Warner of the other part. It granted to Billing the Duke's right of government and to the others title to the land in West New Jersey, ten undivided hundredth parts thereof to the use of Eldridge and Warner and ninety undivided hundredth parts to the use of Penn, Lawry and Lucas in trust for Edward Billing.
- 1681—Sept. 19 "Ye Owners Adventure," a narrow sterned vessel called a pink, sailed from Dublin, Ireland, with settlers for the Third Tenth.
- 1701— Elizabeth Haddon left her home in a suburb of London and came to West Jersey to establish a new home on lands that her father, John Haddon, had purchased, located at what is now Haddonfield.
- 1702—April 15 Proprietors of East and West New Jersey surrender to Queen Anne all their claims to the right to govern their respective Provinces.

NOTES

1. Opinion of the Supreme Court of the United States in the case of *Martin et al. v. Den, Lessee of Waddell*, reported in 41 United States Reports (16 Pet.) p. 367 and republished in 18 New Jersey Law Reports p. 495.
2. Speech by William Temple, Archbishop of Canterbury, entitled, "The Church and Social Life," delivered at a mass meeting held under the auspices of the Industrial Christian Fellowship, in London, September 26, 1942.
3. Smith's (Samuel) History of the Colony of New Jersey—1765, p. 19.
4. Documents relating to the Colonial History of New York—Vol. I, p. 290.
5. Doc. Col. Hist. of N. Y., Vol. I, p. 149.
6. Doc. Col. Hist. of N. Y., Vol. XII, p. 20.
7. Documentary History of N. Y., Vol. III, p. 70.
8. History and Location of Fort Nassau by Edward Armstrong—1853, p. 4.
9. Doc. Col. Hist. of N. Y., Vol. XII, p. 72.
10. Doc. Col. Hist. of N. Y., Vol. XII, p. 17. Swedish Settlements on the Delaware 1638-1664 by Amandus Johnson, Vol. I, p. 170, note.
11. Voyages from Holland to America, A. D. 1632 to 1644 by David Peterson DeVries. Translated from the Dutch by Henry C. Murphy (1853), New York and printed by James Lenox.
12. Narratives of Early Pennsylvania, West New Jersey and Delaware—1630-1707. General Editor, J. Franklin Jameson. Edited by Albert Cook Myers (1912), p. 18, note.
13. First Settlers in Newton Township, N. J.—John Clement, pp. 285, 286.
14. History and Location of Fort Nassau—Armstrnoug, p. 17.
15. "The Swedish Settlements on the Delaware," by Amandus Johnson, Ph.D., Vol. I, p. 114.
16. Deed Andrew Robeson, Executor, to John Finney, dated Sept. 1, 1702, conveying 693 acres, described by metes and bounds and designated "a certain tract of land or plantation called New Stockholm fronting uppon ye River Delaware situate near a Creek called Raccoon Creek." This deed is recorded in the Secretary of State's office and an abstract of it is found in 21 N. J. Archives, p. 680. The original parchment deed is still in existence. In the County Clerk's office at Woodbury, there is also the record of a deed for an adjoining tract in which deed the 693 acre tract is called "the town lands of New Stockholm." See Woodbury, Book I of Deeds, p. 245. See also "Atlas of American History, 1943, Scribners, James Truslow Adams, Editor in Chief, p. 23.
17. "Where Pennsylvania History Began," by Henry D. Paxson, pp. 103 to 111.

18. I N. J. Archives, p. 3.
19. I N. J. Archives, p. 10.
20. Leaming & Spicer's Grants and Concessions, p. 41.
21. 21 N. J. Archives, p. 559.
22. 21 N. J. Archives, p. 559.
23. I N. J. Archives, p. 205.
24. Smith's History of New Jersey (1877 Reprint), p. 93.
25. I N. J. Archives, p. 239.
26. Smith's History of New Jersey, p. 94.
27. Smith's History of New Jersey, p. 93, "Burlington a Provincial Capital," by George De Cou, pp. 21, 24 and 211.
28. "Burlington a Provincial Capital," by George De Cou, p. 211.
29. "William Penn, A Tercentenary Estimate," by William Wistar Comfort, pp. 106 to 117.
30. I N. J. Archives, p. 304; Leaming & Spicer, p. 678.
31. Leaming & Spicer's Grants and Concessions, p. 85.
32. Record of Upland Court, a publication of the Historical Society of Pennsylvania, pp. 140 to 142.
33. I N. J. Archives, p. 324; "Major John Fenwick," by Frank H. Stewart, pp. 4, 9 and 12 to 32.
34. Opinion of New Jersey Court of Errors and Appeals in Jennings v. Burnham, 56 N. J. L., 289.
35. Leaming & Spicer, p. 609.
36. "First Emigrant Settlers in Newton Township," by John Clement, pp. 24 to 26.
37. 21 N. J. Archives, pp. 403, 404, 406, 414, 515, 622, 666.

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